REMARKS

Claims 1-5, 8-9, 11, 14, and 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Wheat (U.S. 5,630,129). Applicant respectfully traverses this rejection because the cited reference neither discloses nor suggests an application of distributed data according to the respective hierarchies recited in the independent claims of the present invention, as amended.

Wheat is drawn to a method and apparatus for maintaining a load balance on a computer. (See col. 2, lines 18-20). The data distribution is accomplished mainly through load balancing of system architecture of the computer, and not by an application of hierarchical steps determining how the data should be distributed.

In contrast, the independent claims of the present invention have been amended to more clearly recite the method and/or system by which data is distributed. More specifically, the independent claims of the present invention now all more clearly feature how scheduling is performed and jobs are rearranged within a parallel computer system according to at least four respective hierarchies. Applicant submits that the independent claims of the present invention are now clearly distinguishable over the Wheat reference by this Amendment, and therefore the Section 103 rejection based on Wheat is respectfully traversed.

Claims 2-5 all depend from independent claim 1, and therefore include all of the features of the base claim, plus additional features. Accordingly, Applicants respectfully

traverse the Section 103 rejection of claim 2-5 based on Wheat for at least the reasons discussed above with respect to independent claim 1.

Applicant further submits that, by this Amendment, the claims of the present invention are further nonobvious over Wheat. As discussed above, Wheat is drawn to a system of distributing data focusing mainly on the system architecture itself. Wheat's objective is concerned mainly with optimizing the manner associated with data access relating to data-mining operations. Wheat's system then focuses on the technology of the architecture for maintaining the low balance in the storing of the data distributed by the operations. It would not, therefore, be obvious from the system described by Wheat how to distribute data according to the hierarchies of the present invention.

Wheat even discloses, at col. 7, lines 62-65, that a heap is used to maintain a priority list of elements for export. Wheat further teaches that each heap entry has only two data items, mainly, the priority of the element, and a pointer to the element itself. Nothing within this very limited description of Wheat's heap teaches or suggests anything relating to the at least four hierarchies now recited in the independent claims of the present invention. Such detailed hierarchies could not be obvious from the very limited description of priority briefly discussed by Wheat. Accordingly, for at least these additional reasons, Applicant submits that the present invention as amended is not obvious over Wheat, and the Section 103 rejection of the claims should be therefore withdrawn in light of these amendments.

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For all of the foregoing reasons, Applicants submit that this Application, including claims 1-5, 8-9, 11, 14, and 16, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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